

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Blanca Correa,

Plaintiff,

-against-

NRP Food Solutions LLC and Nitin
Pendharkar,

Defendants.

24-CV-5220 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:


Plaintiffs moved to compel class discovery for litigation purposes on December 2, 2024. Dkt. 36. Defendants opposed this motion. Dkt. 38.

The motion to compel is conditionally DENIED. Defendants may stick to their guns that class discovery is unwarranted. However, any class certification argument that plausibly turns on discovery that defendants didn't turn over will be resolved against defendants, and the Court will not permit defendants a second bite at the apple. So it's likely in defendants' best interest to work out with plaintiff a reasonable scope of further discovery to avoid the risk that they will win this battle but lose the war.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 36.

SO ORDERED.

Dated: December 10, 2024
New York, New York


ARUN SUBRAMANIAN
United States District Judge